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PTO/SB/64 (09-04)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)

COS-799 DIV

First named inventor: Kelli Prince

Application No.: 10/816,297

Art Unit: 1764

Filed: April 1, 2004

Examiner: unassigned

Title: Apparatus for Dehydrogenation of Ethylbenzene to Styrene

Attention: Office of Petitions

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

FAX (703) 872-9306

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

☐ Small entity-fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

☒ Other than small entity - fee \$ 1500.00 (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of Response to Notice to Missing Parts (identify type of reply):

☐ has been filed previously on _____
☒ is enclosed herewith.

04/05/2005 AWONDAF1 00000024 033345 10816297

B. The issue fee and publication fee (if applicable) of \$ 01 FC:1453 1500.00 DA

☐ has been paid previously on _____
☐ is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Tenley R. Krueger 3/30/2005
Signature Date
Tenley R. Krueger 51,253
Typed or printed name Registration Number, if applicable
P. O. Box 674412 281-227-5386
Address Telephone Number
Houston, TX 77267-4412
Address

- Enclosures: ☒ Fee Payment
☒ Reply
☐ Terminal Disclaimer Form
☒ Additional sheets containing statements establishing unintentional delay
☐ Other: _____

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

- ☒ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

- ☐ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office as (703) 872-9306.

3/30/2005
Date

Lenora Evans
Signature

Lenora Evans
Typed or printed name of person signing certificate



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Prince, et al

Serial No.: 10/816,297

Group Art Unit: 1764

Filed: April 1, 2004

Examiner: Unassigned

For: Apparatus for Dehydrogenation of Ethylbenzene to Styrene

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

CERTIFICATE OF MAILING 37 CFR 1.8	
I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
3/30/2005 Date	<i>[Signature]</i> Signature

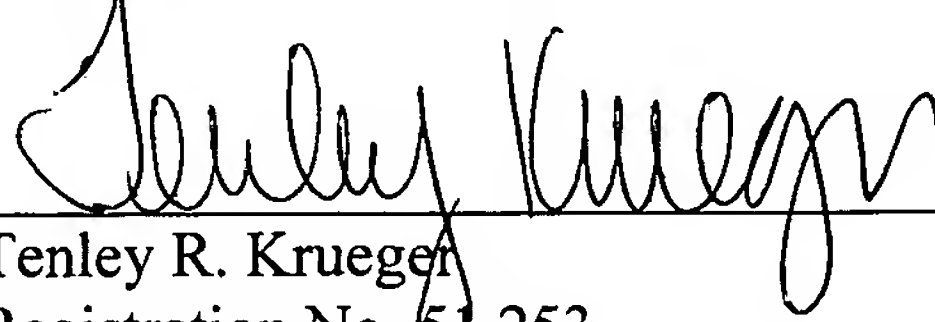
**STATEMENT TO ACCOMPANY THE PETITION FOR REVIVAL OF APPLICATION
FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Applicant hereby petitions for withdrawal of the holding of abandonment in the Notice mailed March 15, 2005. The abandonment was due to Applicant's failure to file a timely and proper reply to the Notice of Missing Parts mailed June 17, 2004 (copy enclosed) with a response date of August 17, 2004. The date of abandonment is the day after the expiration date of the period set for reply plus any extensions of time.

The Response to Missing Parts was unintentionally and inadvertently not submitted timely due to the transition between personnel. Applicant respectfully requests entry of the Response to the Notification of Missing Requirements and Inventors' Declaration submitted herewith.

The Commissioner is hereby authorized to charge the fee of \$1500.00 for the filing of the Petition to Revive, the fee of \$130.00 surcharge for submission of the Declaration, and any additional fees required or to credit any overpayment to Deposit Account No. 03-3345.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Tenley R. Krueger", written over a horizontal line.

Tenley R. Krueger
Registration No. 51,253

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